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THE GERMAN THEORY OF WARFARE

BY MUNROE SMITH

IN the present war Germany has shown a disregard of humane instincts and of international rules and customs that is unprecedented in modern warfare between civilized States. She has introduced into land warfare the use of poisonous gases and of liquid fire. Also the bombardment by aircraft, without the preliminary notice required by custom, not only of "fortresses" but also of open villages and cities. In some of the places bombarded there were no constructions of military importance nor any appliances of war except anti-aircraft guns. That German officers have at times used civilian enemies as fire-screens, and that German troops have in some instances been instructed to give no quarter, even to wounded enemies, is established by German testimony.

Germany has introduced into sea warfare the use of submarines, not only against war vessels but against merchantmen, and not only against enemy ships but against those of neutrals. Of late Germany is avowedly sinking hospital ships, on the plea—denied and unproven—that such ships have been used to carry soldiers and munitions of war.

In Belgium and in other occupied territories the German authorities have subjected the civil population to a reign of terror unexampled in modern war. They have repressed "sniping," the destruction of railroads and telegraphs, and other hostile acts, by burning villages and towns and by killing the inhabitants; that is, by indiscriminate punishment of possible offenders, whose guilt was not established, and of much larger numbers of men, women and children who were undoubtedly innocent. To prevent offenses and to ensure order, the German authorities have

seized civilian hostages, to be shot if any hostile act or transgression of military orders should occur in the locality.

The German army has secured from civilian enemies services of direct or indirect military value, not only by threats and by imprisonment but also by depriving them of food. Finally, Germany has deported at least a quarter of a million Belgian and French men and women to German factories and to labor camps, where they are subjected to similar if not greater duress. General von Bissing claimed that many Belgian workmen "voluntarily" signed labor contracts; but he admitted that those who refused to sign were deported and received a lower rate of pay.

Violation of private property rights has been frequent and flagrant. The districts occupied by German troops have suffered not a little from irresponsible private looting and destruction. They have suffered much more from organized official looting in the form of excessive requisitions, indemnities and contributions. In some instances, not only the local authorities but prominent citizens also have been made responsible for prompt payment; in other instances the levy has been secured by house-to-house search and distraint of goods. In their retirement from occupied French territory, not only have the Germans destroyed everything that could be of use to the armed forces following their retreat, but they have endeavored also to destroy everything that could be of use to the civil population.

Official pleas of justification for those acts which are admitted fall into two classes. Either they invoke "necessity" or they allege prior breaches of law by Germany's enemies which have forced the German Government to exercise the right of retaliation. Each of these pleas implies a recognition that the German acts were at least irregular. In view of this attitude, it is pertinent to show that for nearly a century German military writers have specifically recognized many of these acts as regular and normal incidents of war, and have developed general theories of warfare which justify all the others.¹

Terrorism, defended in the present war largely on the ground of atrocities alleged (but not proved) to have been

¹The German military writings cited in the following pages are: Gen. Carl von Clausewitz, *On War* (1832), translated by Col. F. N. Maude (3 vols., 1911); Gen. Julius von Hartmann, *Militärische Notwendigkeit und Humanität*, in the *Deutsche Rundschau*, vols. xiii, xiv (1877-1878); *The German War Book*, published under the auspices of the German General Staff, translated by J. H. Morgan (1915).

committed by civilians, was advocated by Hartmann forty years ago:

Terror seems relatively the milder method of holding in subjection masses of people who have been thrown out of the normal and regular conditions of peace. . . . Bluntschli, Jacquemyns and others . . . object to imposing upon towns in which offenses have been committed fines which exceed the amount of damage that has been done; they condemn the burning of villages from which civilians have attacked troops; they refuse their assent to the taking of hostages, whose arrest is to prevent illegal acts on the part of the population. . . . Military realism in listening to such utterances silently shrugs its shoulders.

Hartmann and the War Book justify also the harshest measures needed to secure services from civilian enemies, even services of military value:

When the law of peace [Hartmann argues] is supplanted by the law of war . . . it does not abandon its claim to continued authority. All paragraphs of the domestic code threatening punishment for treason remain in force; only extreme duress imposed by the invader can protect the inhabitants, in case these render services to the invading army, against subsequent accountability to their own courts in case of a change in the fortunes of war or after the conclusion of peace. Here interest and fear must silence patriotism and the sense of right in the hostile population. This is certainly far from moral, but it is a military necessity and the inevitable result of military invasion.

The summoning of the inhabitants to supply vehicles and perform works [the War Book explains] has also been stigmatized as an unjustifiable compulsion upon the inhabitants to participate in "military operations." But it is clear that an officer can never allow such a far-reaching extension of this conception. . . . The argument of war must decide.

The War Book follows Hartmann in justifying the taking of hostages—a policy adopted, but more sparingly practised, in the war of 1870:

Since the lives of peaceable inhabitants were without any fault on their part thereby exposed to grave danger, every writer outside Germany has stigmatized this measure as contrary to the law of nations and as unjustified towards the inhabitants of the country. As against this unfavorable criticism it must be pointed out that this measure, which was also recognized on the German side as harsh and cruel, was only resorted to after declarations and instructions of the occupying authorities had proved ineffective, and that in the particular circumstance it was the only method which promised to be effective. . . .

As regards requisitions the War Book quietly brushes away all limitations of international law and custom:

Article 40 of the Declaration of Brussels requires that the requisitions (being written out) shall bear a direct relation to the capacity and

resources of a country, and, indeed, the justification for this condition would be willingly recognized by everyone in theory, but it will scarcely ever be observed in practice. In cases of necessity the needs of the army will alone decide. . . .

This leaves the door wide open to unlimited spoliation, without resort to indemnities or contributions. By both Clausewitz and Hartmann the right of requisition is in fact treated as one of several possible methods of crippling the enemy. The former writes:

Invasion is the occupation of the enemy's territory, not with a view to keeping it, but in order to levy contributions upon it or to devastate it. The immediate object here is neither the conquest of the enemy's territory nor the defeat of his armed force, but merely to do him damage in a general way.

The right of requisition, Clausewitz asserts, "has no limits except those of the exhaustion, impoverishment and devastation of the country." And in the light of experience he suggests to his successors:

Whatever method of providing subsistence may be chosen, it is but natural that it would be more easily carried out in rich and well-peopled countries, than in the midst of a poor and scanty population. . . . There is infinitely less difficulty in supporting an army in Flanders than in Poland.

The system of requisitions [Hartmann explains] goes far beyond the taking of means of subsistence from the country in which war is being conducted; it includes the entire exploitation of that country. . . . This implies that military necessity can make no distinction between public and private property, that it is entitled to take what it needs wherever and however it can. . . . The fundamental principle of all warfare must not be ignored; the hostile State is not to be spared the suffering and privations of warfare; these are particularly adapted to break its energy and to coerce its will. . . . The State at war must spare its own means for conducting war and must injure and destroy those of the enemy.

The foregoing utterances are corollaries of a broader general theory. In German military philosophy, war is normally and properly a struggle, not solely between the armed forces of the contending States, nor solely between their Governments, but between their populations. The contrary theory, that war is a contest between the armed forces of the belligerent States, is a temporary aberration. It is comparatively modern, and it is already antiquated. It took form, according to Clausewitz, in the time of Louis XIV, when the universal military service of primitive peoples and

of early States had been replaced by the hired services of professional soldiers. With the reappearance of universal military duty, with the substitution of great popular armies for small mercenary armies, war reverted to what Clausewitz terms "its true nature" and "its absolute perfection." The sustenance of these popular armies, as he already perceived, had made victory more largely than before a question of economic resources, and war more largely a struggle between the belligerent nations as economic organizations. Since his time, with the rapid development of the natural sciences and the mechanical arts, new and enormously costly instruments and munitions of war have been devised, and, in order to secure an adequate provision of the means of war, all the material resources, all the brains and all the labor power available in the warring nations is drawn into some sort of war work. It seems a logical inference that distinctions between combatants and non-combatants and between public and private property have lost their justification. In modern war every member of a nation, without regard to age and sex, is at least a potential combatant, and all property is potentially State property.

With war thus widened—or thus restored to "its absolute perfection"—the interests at stake, ideal and material alike, are vastly greater and more general. Defeat in the dynastic wars of the 17th and 18th centuries meant chiefly loss of princely power and prestige. Defeat in a modern national war means not only national humiliation but possible national ruin. Besides defraying the enormous cost of the war, the defeated nation may be compelled to pay a crushing indemnity. If it cannot pay at once, it may be forced to pay gradually. In the present war, as soon as the German hope of a speedy triumph was dissipated, German writers pointed out that the districts occupied by their armies, if not annexed, could be held until they were ransomed. A distinguished economist, Professor Schumacher, indicated that Germany's defeated enemies might be forced to accept commercial treaties and to submit to tariff discriminations that would enrich Germany at their expense. Here again we have a reversion to primitive warfare. Defeat of a tribe meant the destruction or enslavement of all its members. Defeat of a nation today may mean indefinite economic servitude.

It may be added that, in a war for naval supremacy, it is widely believed that victory may give control of the

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markets of the world and that defeat may mean practical exclusion from oversea trade.

With such ideal and material issues at stake, a modern nation at war will inevitably develop a "will to victory" as intense as that of a savage tribe, and will care little more than a savage tribe how victory is won. What degree of regard can be expected for sentiments of humanity, or for a formal law that is substantially antiquated? The nation must win—honorably, if it can, but by all means it must win.

War [Clausewitz writes] is an act of violence intended to compel our enemy to fulfil our will. . . . In such dangerous things as war, the errors which proceed from a spirit of benevolence are the worst. . . . He who uses force unsparingly . . . must obtain a superiority if his adversary uses less vigor in its application. . . . To introduce into the philosophy of war itself a principle of moderation would be an absurdity.

Military action [Hartmann writes] must be determined solely in accordance with those conditions which usually prevail in war; in this sense its procedure is completely ruthless. . . .

It would be yielding to voluntary self-deception not to recognize that at the present time war must be conducted much more ruthlessly and much more violently, and that it must come much nearer to affecting the entire population than has previously been the case. . . .

. . . Since the tendency of thought of the last century [the War Book teaches] was dominated essentially by humanitarian considerations which not infrequently degenerated into sentimentality and flabby emotionalism, there have not been wanting attempts to influence the development of the usages of war in a way which was in fundamental contradiction with the nature of war and its object. By steeping himself in military history an officer will be able to guard himself against excessive humanitarian notions. It will teach him that certain severities are indispensable.

Of the traditional and conventional rules of war German military writers speak with unveiled contempt. Clausewitz writes:

Violence arms itself with the inventions of art and science in order to contend against violence. Self-imposed restrictions, almost imperceptible and hardly worth mentioning, termed usages of international law, accompany it without essentially impairing its power. . . .

Rights which the War Power has to respect [Hartmann reasons] can exist only in so far as they are expressly conceded, recognized or maintained by that power. . . . In this matter . . . States cannot permit themselves to be guided by general principles of law. They must necessarily omit from any rules that they adopt everything that may possibly check or impair the freedom and effectiveness of military action. . . .

Utterances of approved legal authorities and precedents found in international settlements can hardly claim full authority in the law of war. . . . because military situations necessarily vary and military problems are therefore subjected to personal judgment, which can recognize no other law than that of military necessity.

Whether any military action is commendable or reprehensible depends, not upon custom or convention, but upon its probable efficacy.

Suffering and injury inflicted upon the enemy [Hartmann writes] are the indispensable methods of bending and breaking his will. . . . Military action can be regarded as barbarous and worthy of condemnation only when it is taken without any such purpose or when it is out of all proportion to the purpose to be achieved.

What is permissible [the German War Book explains] includes every means of war without which the object of the war cannot be obtained; what is reprehensible on the other hand includes every act of violence and destruction which is not demanded by the object of the war.

The ultimate test of right and wrong conduct, therefore, is to be found in its military outcome. Is this pragmatic test to be applied to the commanding officer who violates a law or custom of civilized warfare? Is he to be disavowed and cashiered if his action does not prove successful? Certainly not, for this would lame initiative. "It is quite immaterial," says Hartmann, "whether the anticipated effect can actually be attained; the question is only whether the person responsible for the action was entitled to expect a successful result." This dictum enables us to grasp the full meaning of a pregnant sentence in the War Book—the very next sentence after that last cited:

It follows from these universally valid principles that wide limits are given to the subjective freedom and arbitrary judgment of the commanding officer.

This German theory of warfare is undeniably logical and consistent. The only question is whether all the factors that enter into the problem have received adequate consideration.

We note, first, that natural human feelings, the instinctive reactions of sentiment and of conscience, are considered only to be set aside. They are to be suppressed because they tend to impair the efficient conduct of a war. We note

next that these reactions appear to be deemed important only in the case of officers. It is conceivable, however, that the reactions of conscience may have some effect upon the morale of privates, and that a nation in arms may fight better with a good conscience than with a bad one. In the diaries and letters of German soldiers we see that some at least have felt qualms. In one case where, because of alleged sniping, "eight houses were destroyed with their inmates," and "out of one house alone two men with their wives and an eighteen-year-old girl were bayoneted," the diarist writes: "The girl made me feel bad, she gave such an innocent look." After describing the looting and destruction of workingmen's houses, another diarist writes: "Atrocious! After all there is something in what is said about German barbarians." And in a letter describing the devastation of a district abandoned by the German troops, the writer says: "We can scarcely be looked upon as soldiers—when we are at the front it is as if we were the greatest criminals."

This point, of course, is not to be overstressed. Most of the German soldier diarists seem to have become quickly hardened to every form of brutality. Few show enjoyment of atrocities, but nearly all accept ruthlessness as necessary. "The women were a sight," one of them writes, and adds: "but there is no other way." At the same time, the spiritual revolt of the finer natures cannot be regarded as a wholly negligible factor, even as regards the successful prosecution of a war.

Of the effect of ruthless warfare upon the minds of their adversaries German military writers have much to say. They recognize, however, but one possible effect. Merciless conduct of war will break the energy and coerce the will of the enemy nation. It will shake the morale of the combatants and will make the oppressed civil population clamorous for peace. That breaches of the laws and customs of war and acts of unusual inhumanity may have the opposite result; that these may steel the will and increase the energy of the hostile nation; that soldiers may meet "dirty fighting" with double fury, and that oppressed civilians may protest against any peace that does not bring redress for wrongs endured and afford some security against like injuries in the future—all this is left out of the German calculations. Even military writers must know what everyone knows, that in time of peace nothing so spurs men to resistance as a sense

of wrong; but they seem to assume that this reaction will not take place in war.

Of neutral reactions to lawlessness and inhumanity German military writers say nothing. What is on the whole most significant is that they speak of all restrictions upon the "War Power" as "self-imposed." They refuse to recognize the laws and customs of war as imposed by "any external authority." In this they follow the theory accepted by the majority of German writers on politics and on jurisprudence. These hold that international law binds a State only in so far as a State consents to be bound by it.

The reason why the Germans, and those who accept the German theory, can not see that the rules of international law are imposed upon the single State by the society of States, is because this society is not politically organized and has no machinery for the enforcement of its rules. A powerful State may therefore, with apparent impunity, set these rules aside and take such action as its peculiar immediate interests seem to require. A weak State, indeed, can not do this; but the Germans courageously extricate themselves from this logical difficulty by denying that weak States are really States. They call such States "tolerated communities."

The fallacy of the German reasoning lies in the assumption that a society can not act upon its members otherwise than through political organization. They forget that even in politically organized societies men are coerced through other than political agencies and by other than political methods—for example, by ostracism. They ignore the fact that societies wholly destitute of political organization may extemporize economic and even physical coercion, by boycotting or "running out" or lynching those who disregard the interests and the sentiments of the group. To say that the restrictions which the society of civilized nations has developed by custom or by convention are "self-imposed" upon each State, is as if one should say that in a frontier mining camp, into which no sheriff has yet made his way, the custom that prohibits "claim-jumping" is imposed upon each prospector by himself, not by the group in which he is living.

In treating international law as negligible; in ignoring the opinions, the sentiments and the conscience of neutral nations, which express material and spiritual interests that are superior to the selfish interests of any single State and

are the reservoir from which new international law is steadily drawn—the German theory of warfare leaves out of its calculations no less a factor than the World. The nation at war is to proceed as if it and its antagonist were fighting on Mars. What is more, it is to proceed as if, after the war, it were not obliged to come back into the World.

From one point of view, of course, neutral nations must be included in military calculations. They also may migrate to Mars. To avert their hostility, to secure, if possible, their support, is of no slight importance; but this is the business, not of the General Staff, but of the Foreign Office. It seems, however, to be the general belief of military men that the action or inaction of neutrals will be determined chiefly, if not wholly, by the progress of the war. A neutral nation will presumably wish to be on the winning side. It will certainly avoid entanglement with belligerents who seem to be losing. These considerations enhance the importance of rapid victory and reinforce the demand for ruthless warfare.

The political authorities of a State, unless their minds are hopelessly militarized, see the other side. They know that sentiment counts, and they hesitate to antagonize neutral sentiment. They realize that a great modern war disturbs the economy of the world, and they are loth to increase the disturbance by extending the scope and the destructiveness of warfare.

At the outbreak of the World War, the Teutonic diplomats made some effort to avoid the appearance of aggression. They were overridden by the military authorities, to whom the first blow seemed all important, and Germany declared war on Russia and France. The German Foreign Office appreciated the political risks involved in the invasion of Belgium. Here again the diplomats were overridden by the military chiefs. The immediate result was a British declaration of war. The entry of Great Britain into the war made it possible for Japan and Italy to join the coalition against the Central Empires.

So far as we can judge from the news that has been permitted to emerge from Germany or has leaked out, in spite of the censorship, during the past three years, the difference between the military and the political point of view has continued to manifest itself in conflicts between the military and political authorities. There seem to have been differences of opinion regarding air raids upon French and

British cities. There seem to have been conflicts in the matter of civilian deportations. In the matter of submarine warfare against merchant vessels it is notorious that there was not only conflict but a series of political crises. After the "war zone" proclamation issued by the German Admiralty in February, 1915, Germany backed and filled on this issue for nearly two years, until in January, 1917, the navalists won a complete triumph.

This issue outranked all others, because in unrestricted and indiscriminate submarine warfare on commerce the German military authorities saw the best chance of crippling Great Britain, if not the only chance of winning the war; while the German political authorities rightly feared energetic and widespread neutral reactions.

Warfare upon enemy commerce, as previously conducted, rarely involved the destruction of captured vessels. In the great majority of cases this was unnecessary, and it was contrary to the interest of the captor State. Normally, therefore, captured vessels continued to minister to the needs of the world. In submarine warfare, on the other hand, even in so called "cruiser warfare," the destruction of the captured vessel is almost always necessary. Destruction ceases to be the exception and becomes the rule. The resulting diminution of sea tonnage is a serious injury to the whole world. Unrestricted submarine warfare against enemy vessels increases the injury; indiscriminate submarine warfare against all merchant vessels, enemy and neutral, makes the injury intolerable. If Germany had deliberately sought an issue that would array the world against her, she could hardly have found one more certain to accomplish this result. Unrestricted and indiscriminate warfare against sea trade is not only illegal and barbarous, it not only shocks the sense of right and the conscience of humanity, but it also menaces the welfare of the world because of the extent to which civilization rests upon ocean carriage.

In the conduct as in the inception of this war the German military authorities have had their way. Never in the history of the world has the militarist theory had a fairer or more crucial test. What has been the result of the experiment? The Central Empires expected to fight two Powers and two or three small States. They were victorious at the outset; they say that they are still victorious—what allies has victory brought them? Turkey and Bulgaria. What of the rest of

the world? In coalition against them are six Powers—without including Brazil, which is virtually at war with Germany—and ten small states. They have enemies today in every continent and in the islands of all the seas. Germany has learned that the world, although politically unorganized, is capable in an emergency of collective action against an offending State, just as the mining camp, although destitute of constituted authority, is capable of collective action against a claim-jumper. The World is organizing itself into something that looks very like a Vigilance Committee.

In the conduct as in the inception of this war, not only has Germany disregarded Bismarck's "imponderables"; she has also left out of account world factors of seemingly obvious weight. Her military authorities have manifested in a most striking way the defects of the single-track mind, and they have drawn Germany into dire peril. In overriding the political authorities of their own Empire they have ignored the teachings of the greatest and most philosophical of the German military writers—teachings which furnish a partial antidote for his own poisonous doctrines of ruthlessness. In his great book *On War* Clausewitz says:

The art of war, in its highest point of view, is policy . . . a policy which fights battles instead of writing notes. According to this view . . . *it is an irrational proceeding to consult professional soldiers on the plan of a war. . . . None of the principal plans which are required for a war can be made without an insight into the political relations.* . . .

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